

Dep't Ref
#307

03500.014045.

PATENT APPLICATION

IN THE U.S. PATENT AND TRADEMARK OFFICE



In re Application of:)
NOBUHIRO ITO ET AL.) Examiner: S. Roy
Application No.: 09/413,774) Group Art Unit: 2879
Filed: October 7, 1999)
For: ELECTRON BEAM)
APPARATUS AND SPACER) July 17, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Sir:

In connection with the above-identified application, Applicants request a refund of \$1,434.00 which was charged to Deposit Account 06-1205. As discussed below, it is requested that a refund of \$1,398.00 be applied as a credit to that Deposit Account 06-1205.

On February 19, 2003, Applicants filed an Amendment and Response to Office Action, copy attached. In the Amendment and Response, Applicants added 18 new claims, some of which were multiple dependent, resulting in 24 total claims above the total amount of claims that had been previously paid for. (It is noted that the multiple dependent claim fee had been previously paid.) Accordingly, Applicants paid the fee of \$432.00 (\$18.00 x 24) for the 24 total claim in excess of that which had already been paid for. Of the 18 newly added claims, 15 were independent. So, Applicants also paid the fee of \$1,260.00 (\$84.00 x 15) for the 15 independent claims above the total amount of independent claims that had been previously paid for. Therefore, with the Amendment and Response dated February 19, 2003, Applicants paid a total fee of \$1,692.00.

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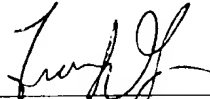
On March 6, 2003, Applicants filed a Supplemental Amendment, copy attached, in which 10 more claims were added, one of which was multiple dependent. This resulted in 12 total claims above the total amount of claims that had been previously paid for. Accordingly, Applicants paid the fee of \$216.00 ($\18.00×12) for the 12 total claims in excess of that which had already been paid for. Also among the 10 newly added claims were 6 more independent claims. Applicants paid the fee of \$504.00 ($\84.00×6) for the 6 independent claims above the total amount of independent claims that had been previously paid for. Therefore, with the Supplemental Amendment dated March 5, 2003, Applicants paid a total fee of \$720.00 ($\$504.00 + \216.00).

Upon further review of the file, Applicants have determined that 2 additional total claims should have been paid for, resulting in a total amount remaining due to the PTO of \$36.00 ($\18.00×2).

However, Applicants' attorney received a Monthly Statement of Deposit Account, dated March 31, 2003, copy attached, indicating that Deposit Account No. 06-1205 was charged \$1,344.00 for additional independent claims and \$90.00 for additional claims for a total of \$1,434.00. Since payment was made for all, except for 2, of the newly added claims, as detailed above, it is respectfully submitted that the \$1,434.00 charge was made in error. Since Applicants have determined that a fee of \$36.00 is still owed to the PTO, as discussed above, Applicants respectfully request and authorize the Commissioner to credit Deposit Account No. 06-1205 in the amount of \$1,398.00 ($\$1,434.00 - \36.00), in order to resolve this matter

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Attorney for Applicants

Registration No. 42,476

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

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